

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

|                                                      |   |          |
|------------------------------------------------------|---|----------|
| In the Matter of                                     | ) |          |
|                                                      | ) |          |
| Request of Industrial Telecommunications Association | ) |          |
|                                                      | ) | RM-10687 |
| to Certify ITA to Frequency Coordinate the           | ) |          |
| Power Radio Service, Railroad Radio Service and      | ) |          |
| Automobile Emergency Radio Service                   | ) |          |

**Comments  
Of  
Forest Industries Telecommunications**

Forest Industries Telecommunications ("FIT"), hereby submits these Comments in response to the Commission's *Public Notice*<sup>1</sup> seeking comments on an Informal Request of the Industrial Telecommunications Association ("ITA") to certify ITA as a frequency coordinator for the Power Radio Service ("PRS"), Railroad Radio Service ("RRS") and the Automobile Emergency Radio Service ("AERS"). Herein, FIT supports ITA's request to coordinate PRS and AERS frequencies, and it urges the Commission to use this proceeding to authorize coordination of the frequencies in these two services by all existing certified Private Land Mobile Radio Service ("PLMRS") coordinators. In addition, FIT suggests that the Commission authorize coordination of the Petroleum Radio Service ("PETRS") by such existing certified coordinators. Enacting these suggestions will bring significant benefits to the public, and would be consistent with

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<sup>1</sup> Report No. 2601, released March 26, 2003.

Commission action in other proceedings promoting competition in the provision of frequency coordination.

## **I. Introduction**

FIT is a trade association representing the land mobile communications interests of the forest products industry, and it is also a certified I/B frequency coordinator. It has been coordinating frequencies for the forest products industry for over fifty years, and more recently for clients in other industries as well.

FIT has long supported the promotion of competition for frequency coordination of most private land mobile radio services. In doing so, FIT has followed the lead of the Commission itself, which has been implementing such competition in a step-by-step process over the course of the last six years. In March of 1997, the Commission issued its Second Report and Order in the “refarming” proceeding, which not only consolidated the PLMRS into two pools, but introduced competition in frequency coordination of channels in the Industrial/Business pool, with the exception of the PRS, RRS and AERS.<sup>2</sup> In the *Refarming Second R&O*, the Commission recognized the benefits that result from competitive provision of coordination services, such as increased speed and better quality of service, as well as reduced costs to users.<sup>3</sup>

Continuing the transition to competitive coordination, in 2001, the Commission subsequently opened up coordination of the Business and Industrial/Land

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<sup>2</sup> Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services, Second Report and Order, 12 FCC Rcd 14307 (1997) (“*Refarming Second R&O*”).

<sup>3</sup> *Id.* at para. 40.

Transportation services in the 800 and 900 MHz bands to multiple coordinators, including FIT.<sup>4</sup> In doing so, the Bureau recognized that the introduction of competitive coordination had been successful. *UTC Order*, 16 FCC Rcd at 8441.

Most recently, the Commission initiated a proceeding to explore the introduction of competition in the coordination of Public Safety (“PS”) pool frequencies below 470 MHz.<sup>5</sup> Therein, the Commission recognized the benefits that resulted from competitive coordination of other PS bands. *Id.* at para. 29. While the Commission proposed allowing coordination only by existing PS coordinators, FIT advocated that the Commission allow true competition in the coordination of both PS and I/B frequencies. Specifically, FIT suggested that the Commission allow coordination of all PS frequencies by all approved PS and I/B frequency coordinators, just as it should allow coordination of all I/B frequencies by all approved PS and I/B coordinators.

In the present proceeding, the Bureau should continue the on-going transition to competitive provision of coordination services, and certify ITA as a coordinator of the PRS and AERS frequencies. Furthermore, the Bureau should also find that other existing PS and I/B coordinators are also qualified to coordinate PRS and AERS frequencies. Additionally, the Commission should find that such entities are qualified to

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<sup>4</sup> See Order, In the Matter of United Telecom Council Informal Request for Certification as a Frequency Coordinator in the PLMR 800 MHz and 900 MHz Bands, 16 FCC Rcd 8436 (WTB, 2001) (“*UTC Order*”), and Public Notice, Wireless Telecommunications Bureau Announces That Forest Industries Telecommunications is Certified as a Frequency Coordinator for 800/900 MHz Business and Industrial/Land Transportation Frequencies, 16 FCC Rcd 12666 (WTB, 2001).

<sup>5</sup> See Notice of Proposed Rulemaking in WT Docket No. 02-285, RM-10077 (rel. September 19, 2002) (“*PSNPRM*”).

coordinate PETRS frequencies. Such actions would be consistent with the approach taken by the Bureau in the *UTC Order*, and is justified by the same reasoning used in that *Order*.

**II. ITA and Other PLMRS Coordinators are Qualified to Coordinate PRS and AERS Frequencies, as Well as PETRS Frequencies, Regardless of “Representativeness.”**

FIT believes that ITA has made an impressive showing as to its qualifications to coordinate certain additional PLMR services, such as PRS and AERS, and the Bureau should accordingly certify ITA to coordinate frequencies in those two services.

However, the ITA Request raises three issues, which FIT addresses below.

**A. Due to Its Unique Characteristics, the RRS is the One PLMRS That Should Have a Single Coordinator.**

FIT has previously asserted, and continues to believe, that generally there is no “special” knowledge or technique possessed by a particular PLMRS coordinator, that is not possessed by or that cannot be easily obtained by other PLMRS coordinators.

Thus, for example, in response to the *PSNPRM*, FIT noted that I/B coordinators have all of the technical capabilities necessary to coordinate PS frequencies. I/B coordination requires the same analysis and evaluation as PS coordination, and in fact many I/B and PS coordinators use the same third party software.<sup>6</sup> FIT also noted that I/B coordinators currently have, or can rapidly obtain, any “special knowledge” necessary to coordinate PS frequencies, assuming that any local or regional PS

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<sup>6</sup> For example, FIT uses the same RadioSoft database system used by coordinators AAA, AAR, FCCA, MRFAC and AASHTO. The same RadioSoft software is also licensed to the FCC, as well as to numerous other Federal, local and state government agencies. FIT has also been informed that licensed copies of the software are also owned by APCO, PCIA and AMTA.

spectrum plans are made public to all PS entities and to all coordinators.

However, due to certain truly unique characteristics, the RRS is the one PLMR service that would best be coordinated by a single coordinator. Railroads uniquely require complex “ribbons” of nationwide frequencies that follow their tracks. An operator such as Amtrak uses its own group of channels, nationwide, in order to have communication ability wherever a particular engine or car goes. While the channels are used in a "ribbon" that follows the line of the tracks, there is also a requirement for frequency swapping and sharing that goes on with the various railroad operators, since two or more railroads may be sharing the same physical right-of-way or actual track for various reasons. Coordination of these unique configurations is made more complex by other operational needs of railroads. For example, operators also need to have regular "road" channels for each district they travel in and for each rail line that they lease track from, and they need to be able to instantly communicate with the dispatcher of the main line they are on, which may involve a different frequency than the railroad operator. Operators also have maintenance channels for the gandy dancers and track crews, channels for the safety inspectors and supervisors, plus their own internal police facilities.

Accordingly, while FIT supports certification of ITA for the PRS and AERS, in this unique case, it suggests that the Association of American Railroads remain as the sole coordinator for the RRS.

B. The “Representativeness” Criterion is  
Inappropriate in a Competitive Coordination Model.

In its Informal Request, ITA demonstrates its qualifications as a coordinator for

the services at issue under the four criteria used by the Commission in the *UTC Order*. The first of such criteria is “representativeness of the users of the frequencies to be coordinated.” ITA then goes on to note that many of ITA’s clients include power, railroad, and automobile emergency eligibles. While FIT believes that this assertion by ITA does demonstrate the required “representativeness”, it also believes that this putative criterion is no longer relevant or necessary in a context of competitive coordination. The representativeness criterion appears to have originated in the prior policy of allowing only one coordinator for each PLMR service, prior to the combination of those services into two pools in the *Refarming Second R&O*.<sup>7</sup> In that circumstance, there may have been some rationale for "representativeness" in selecting the sole coordinator for such a narrow range of users. However, as the Commission moves towards a competitive coordination model, where users of a radio service can choose from multiple coordinators, the rationale for “representativeness” is thus eliminated. Such an approach constitutes an unnecessary limit on competition.

C. All Current Certified PLMRS Coordinators are Similarly Qualified to Coordinate PRS, AERS and PETRS.

ITA is clearly qualified to coordinate frequencies in the PRS and AERS, and accordingly, the Commission should certify ITA as authorized to do so. However, FIT believes that all currently certified PLMRS coordinators are similarly qualified, and that the Commission should use this proceeding to authorize coordination of the frequencies in these two services by all existing certified PLMRS coordinators. Furthermore, while

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<sup>7</sup> 16 FCC Rcd at 8445.

the issue of coordination of PETRS was not raised by ITA, the Commission should authorize existing coordinators to provide coordination for that service, as the rationale for opening up coordination of PRS and AERS applies equally to PETRS. Such actions would be consistent with the approach taken by the Bureau in the *UTC Order*, and would be justified by the same reasoning used in that *Order*.<sup>8</sup>

In looking at the criteria currently used by the Commission, it should be noted that there is no reason to believe that the “overall coordination plans” of each of the currently authorized PLMRS coordinators would need to be modified in order to perform coordination for the PRS, AERS and PETRS. Similarly, given the use and ubiquity of the ULS database and the large use of third-party interference analysis software, there is no reason to believe that the technical expertise of existing coordinators is insufficient to perform PRS, AERS and PETRS coordination. FIT also believes that each of the existing coordinators has the capability to perform coordination on a nation-wide basis.<sup>9</sup> Lastly, as discussed above, the “representativeness” criterion is inappropriate in this competitive context, and thus need not be considered.<sup>10</sup>

Thus, as was the case in the proceeding that led to the *UTC Order*, requiring each existing coordinator to file an application demonstrating its qualifications to provide service for PRS, AERS, and PETRS, when those qualifications are obviously present,

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<sup>8</sup> 16 FCC Rcd at 8445.

<sup>9</sup> Even if a coordinator were not able to provide service for frequencies in a particular locale, it would be unlikely that this would negatively impact the public, given the existence of competing providers of coordination who can provide such service.

<sup>10</sup> FIT makes this argument even though it believes it fulfills this criterion, since it currently provides or has provided coordination services to numerous PRS, AERS and PETRS eligibles.

would be a large waste of resources for both the coordinators and the Commission. The Commission should eliminate that requirement for existing PLMRS coordinators that seek to coordinate PRS, AERS and PETRS frequencies.<sup>11</sup>

### **III. Conclusion**

The Commission should grant ITA's request to provide coordination for PRS and AERS frequencies. In addition, the Commission should authorize coordination of the frequencies in these two services and PETRS by all existing certified PLMRS coordinators. Doing so will bring significant benefits to the public, and would be consistent with Commission action in other proceedings promoting competition in the provision of frequency coordination.

Respectfully submitted,

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<sup>11</sup> In the *UTC Order*, the Bureau did require currently certified coordinators that had not yet stated an interest in being certified to coordinate 800/900 MHz frequencies to notify the Bureau of such an interest. The same approach should be taken here, allowing the existing coordinators to express in writing their interest in coordinating PRS, AERS and PETRS frequencies.